

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

IN RE: AMAZON SERVICE FEE
LITIGATION

CASE NO. 2:22-cv-00743-TL

(CONSOLIDATED CASE)

ORDER REQUESTING
SUPPLEMENTAL BRIEFING

This matter is before the Court on Defendant Amazon.com, Inc.'s Motion to Dismiss Amended Consolidated Complaint and Strike Certain Allegations (Dkt. No. 51). Since the completion of briefing on the motion, the Eleventh Circuit issued a decision in *Marquez v. Amazon.com, Inc.*, 69 F.4th 1262 (11th Cir. 2023). There, the court applied Washington law to affirm the dismissal of contract and quasi contract claims related to Defendant's Terms & Conditions. *See id.* at 1270–74, 1276.

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Accordingly, to assist the Court's determination of the motion, it is hereby ORDERED:

- Defendant SHALL file a supplemental brief addressing *Marquez* and its relevance to this matter **by November 17, 2023**.
- Plaintiff SHALL file a response **by December 1, 2023**.
- No brief shall exceed **five (5) pages**.
- No reply is permitted.

Dated this 2nd day of November 2023.



Tana Lin
United States District Judge